S. R. A.—B. E. P. Q. 170 Issued December 1948

United States Department of Agriculture

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

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SERVICE AND REGULATORY ANNOUNCEMENTS [1]

OCTOBER–DECEMBER 1947

E.M.N.

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENTS RELATING TO CITRUS FRUIT QUARANTINE (NO. 28)

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

NOTICE OF QUARANTINE NO. 28 (T. D. 37304), PROHIBITING THE IMPORTATION OF CITRUS FRUIT, REVISED (T. D. 51775)

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., October 20, 1947.

To Collectors of Customs and Others Concerned:

The appended copy of a revision of Citrus Fruit Quarantine No. 28, on account of the citrus canker, issued by the Assistant Secretary of Agriculture, effective

[1] Compiled by Ralph W. Sherman, Office of the Assistant Chief in Charge of Regulatory Work.

October 25, 1947, is published for the information and guidance of customs officers and others concerned.

The number of this Treasury decision shall be inserted as a marginal reference opposite section 12.14 (a), Customs Regulations of 1943.

W. E. HIGMAN,
Acting Commissioner of Customs.

(Then follows the text of the circular.) [2]

ANNOUNCEMENTS RELATING TO CUT FLOWER QUARANTINE (NO. 74)

B. E. P. Q.—Q. 74 Effective December 30, 1947

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN QUARANTINE NOTICES

AMENDMENT TO REGULATION SUPPLEMENTAL TO CUT FLOWER QUARANTINE

Under authority contained in section 5 of the Plant Quarantine Act of August 20, 1912 (37 Stat. 316; 7 U. S. C. 1940 ed. 159), § 319.74–3 of the regulations issued by the Secretary of Agriculture, supplemental to the Cut Flower Quarantine, Notice of Quarantine No. 74 [12 F. R. 4258], is hereby amended to read as follows:

"(c) Whenever, during the inspection of cut flowers imported in accordance with the regulations in this subpart, the inspector shall find them to be infested with an injurious insect or infected with an injurious plant disease, which can be eliminated by a method of treatment selected by him in accordance with administratively authorized procedures known to be effective under the conditions applied, he may prescribe as a condition of entry that such treatment be applied by the importer or his agent, under the supervision of the inspector. All costs for such treatment, except for the services of the inspector, shall be borne by the importer or his agent. Neither the Department of Agriculture nor the inspector shall be deemed responsible for any adverse effects of such treatment on the cut flowers so treated. In lieu of treatment the importer of infested or infected cut flowers shall be given the option of immediately shipping them to a point outside the United States or abandoning them for immediate destruction."

Effective on and after December 30, 1947.

Done at the city of Washington this 24th day of November 1947.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

[Filed with the Division of the Federal Register, November 28, 1947, 8:51 a. m.; 12 F. R. 7979.]

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

AMENDMENT OF THE REGULATIONS SUPPLEMENTAL TO CUT FLOWER QUARANTINE No. 74 (T. D. 51830)

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., January 21, 1948.

To Collectors of Customs and Others Concerned:

The appended copy of amendment to section 319.74–3 (c) of the regulations supplemental to Cut Flower Quarantine No. 74 (T. D. 57146), issued by the Sec-

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[2] See S. R. A.—B. E. P. Q. 169, for July–September 1947, pp. 61–2.

retary of Agriculture, effective December 30, 1947, is published for the information and guidance of customs officers and others concerned.

The number of this Treasury decision should be inserted as a marginal reference opposite sections 12,10, 12,11 (a) (1), 12,12 (c), and 12,14 (a), Customs Regulations of 1943.

FRANK DOW,
Acting Commissioner of Customs.

(Then follows the text of the order.)

ANNOUNCEMENTS RELATING TO DUTCH ELM DISEASE QUARANTINE (NO. 70)

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

NOTICE OF QUARANTINE NO. 70 (T. D. 46721), DESIGNED TO PREVENT FURTHER INTRODUCTION INTO THE UNITED STATES OF THE DUTCH ELM DISEASE, AS MODIFIED BY T. D. 47516, REVISED (T. D. 51782).

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., October 24, 1947.

To Collectors of Customs and Others Concerned:

The appended copy of a revision of Notice of Quarantine No. 70, designed to exclude the Dutch elm disease from introduction into the United States, issued by the Secretary of Agriculture, effective October 31, 1947, is published for the information and guidance of customs officers and others concerned.

The number of this Treasury decision shall be inserted as a marginal reference opposite section 12.14 (a), Customs Regulations of 1943.

FRANK DOW,
Acting Commissioner of Customs.

(Then follows the text of the order.)[3]

ANNOUNCEMENT RELATING TO FRUIT AND VEGETABLE QUARANTINE (NO. 56)

B. E. P. Q. 464, Revised — Effective December 31, 1947

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN QUARANTINE NOTICES

IMPORTATION OF VINIFERA GRAPES AND CERTAIN OTHER DECIDUOUS FRUITS SUBJECT TO IN-TRANSIT STERILIZATION AUTHORIZED

On October 16, 1947, notice of proposed rule making was published in the Federal Register (12 F. R. 6785) regarding the proposed amendment of the in-transit sterilization requirements for grapes of the vinifera type and certain other fruits, as provided in administrative instructions supplemental to the Fruit and Vegetable Quarantine No. 56 (7 CFR 319.56–2e; B. E. P. Q. 464, September 15, 1937). After consideration of all relevant matter presented, including the proposals set forth in the aforesaid notice, and pursuant to the authority contained in the Plant Quarantine Act (37 Stat. 316, 7 U. S. C. 159) the administrative instructions in § 319.56–2e are hereby amended to read as follows:

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[3] See S. R. A.—B. E. P. Q. 169, for July–September 1947, pp. 65–7.

§ 319.56–2e *Administrative instructions; importation of Vinifera grapes and certain other deciduous fruits subject to in-transit sterilization authorized.*—It has been determined that the refrigeration treatment prescribed in 7 CFR 319.56–2d (B. E. P. Q. 463), as a condition for the entry of Vinifera grapes from regions in which the Mediterranean fruit fly occurs, can be completed while the fruit is in transit on ships equipped with adequate refrigeration facilities, provided the grapes have been cooled to the proper temperature before loading in refrigerated holds in the carrying vessels. It has also been determined that certain other deciduous fruits can be similarly treated.

The treatment prescribed in 7 CFR 319.56–2d (B. E. P. Q. 463), requires the cooling of the grapes until the approximate center of the fruit in the package reaches a temperature of 34° F. and holding it at or below that temperature for a period of 12 days. It has further been determined that cooling of grapes and certain other deciduous fruits until the approximate center of the fruit in the package reaches a temperature of 36° F. and holding it at or below that temperature for a period of 16 days is also a sufficient sterilization.

On the basis of the above determinations and under the authority of the regulation in 7 CFR Cum. Supp. § 319.56–2 (regulation 2 of the rules and regulations supplemental to Notice of Quarantine No. 56), grapes of the Vinifera type, and such other deciduous fruits as may be approved in the permit, which are prohibited entry in the fresh state because of the Mediterranean fruit fly, may be entered under the following conditions:

(a) Before being loaded they shall be cooled to a temperature of 32° F. under the supervision of an official designated by the Secretary of Agriculture, or one holding a comparable position, in the country concerned, in a plant approved for the purpose by the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture.

(b) The temperature of the grapes or other deciduous fruits shall in no case rise above 33° F. between the time they are taken from the precooling plant and the required refrigeration treatment is begun on the carrying vessel.

(c) The grapes or other deciduous fruits shall be held at a temperature of 34° F. or below for a period of 12 days, or at a temperature of 36° F. or below for a period of 16 days. Such treatment shall be applied only in vessels which have been approved by the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture, and in particular holds or compartments designated by that Bureau for this purpose. Treatments must be completed in the holds or compartments in which they are begun.

(d) Each container of grapes or other deciduous fruits to be imported into the United States under the provisions of this section shall be marked by an appropriate label, or stencil, or stamp impression, which will enable identification at all times.

(e) A certificate shall be issued in triplicate by an official designated by the Secretary of Agriculture or one holding a comparable position, in the country concerned, indicating compliance with the provisions of paragraphs (a) and (b) of this section. In addition this certificate shall give the identifying marks prescribed in paragraph (d). The signatures and official position of those designated to sign this certificate shall be submitted to the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture in quadruplicate.

(f) The original and one copy of the certificate required in paragraph (e) of this section shall be verified by the American Consul at the port of export and shall accompany the shipment and be surrendered to the inspector of the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture at the port of entry. The third copy will be retained by the consular office verifying the certification.

(g) When requested, applicants for permits to import Vinifera grapes and certain other deciduous fruits under the provisions of this section shall furnish or arrange to have furnished, blueprints, plans, specifications, or such other information as may be deemed necessary for considering precooling plants or carrying vessels, for approval by the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture.

(h) When requested, provisions shall be made to authorize representatives of the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture, to inspect and carry on such tests as may be deemed necessary in or on precooling plants and carrying vessels for which approval has been requested under the provisions of this section.

(i) No permits will be issued for the importation of Vinifera grapes or other deciduous fruits under the provisions of this section until the precooling plant

at the port of loading and the hold, holds, or compartments of the carrying vessels in which the prescribed in-transit treatment is to be given have been approved by the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture.

(j) Carrying vessels must be equipped with approved temperature-recording instruments located, installed, operated, and maintained in a manner to be prescribed by the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture, for each vessel.

(k) Not more than 3 days prior to the lading of grapes or other deciduous fruits to be given in-transit sterilization as provided in this section, the temperature-recording instruments of the hold, holds, or compartments approved for the purpose shall be tested for accuracy by an official designated by the Secretary of Agriculture, or one holding a comparable position, in the exporting country, and the thermograph record shall bear an endorsement of said official in form approximately as follows:

Port of export_____
Date_____

The instruments installed for recording temperature within compartment _____ of the S. S. or M. S. _____ which compartment is loaded with _____ covered by precooling certificate No. _____ of the _____, were tested by me at the place and on
(Name of certifying Government Agency)
the date above indicated, and were accurate to within _____° F.

(If no adjustments were necessary, add a statement to that effect. If adjustments were made, add a statement indicating their character.)

Signature_____
(Title of certifying officer)

(l) For entry under the provisions of this section, there shall be surrendered to the inspector of the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture at the port of transshipment or at the port of entry, the original thermograph record showing the temperatures maintained in the holds or compartments in which the fruit concerned was sterilized. When necessary, additional photostatic copies of such records shall be provided at the expense of the permittee.

(m) Vinifera grapes or other deciduous fruits to be imported into the United States under the provisions of this section shall not be unloaded from the carrying vessel until evidence satisfactory to the inspector of the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture has been furnished showing that the grapes or other deciduous fruits have received the refrigeration treatment prescribed in this section.

(n) Whenever grapes or other deciduous fruits are offered for entry under the provisions of this section and it cannot be established to the satisfaction of the inspector of the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture that they have received the required refrigeration treatment, they shall either remain on the vessel under safeguards prescribed by the inspector of the Bureau of Entomology and Plant Quarantine and under seal of the Bureau of Entomology and Plant Quarantine, or they shall be transported beyond the territorial limits of the United States under such safeguards as shall be prescribed by the inspector.

(o) Vinifera grapes or other deciduous fruits may be imported under the provisions of this section throughout the year and no restrictions are placed on the character of containers in which they shall be packed.

(p) In authorizing the entry of Vinifera grapes and certain other deciduous fruits into the United States in accordance with the provisions of this section, it should be emphasized that inexactness and carelessness in applying the treatment may result in injury to the fruit or its rejection. The treatment required for the entry of fruit under the provisions of this section represents a requirement considered necessary for the elimination of pest risk, and no liability shall attach to the United States Department of Agriculture or to any officer or representative of that Department in the event of injury resulting to fruit offered for entry under the provisions of this section.

Inasmuch as this revision is a relieving of restriction, good cause is found for making the effective date hereof less than 30 days after its publication in the Federal Register.

(Sec. 5, 37 Stat. 316; 7 U. S. C. 159; 7 CFR, § 319.56–2.)

This revision shall be effective on December 31, 1947 and shall then supersede B. E. P. Q. 464 (7 CFR § 319.56–2e), effective September 15, 1937.

Done at Washington, D. C., this 24th day of November 1947.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[Filed with the Division of the Federal Register, December 24, 1947, 9 a. m.; 12 F. R. 8787.]

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

IN-TRANSIT STERILIZATION REQUIREMENTS OF ADMINISTRATIVE INSTRUCTIONS ISSUED PURSUANT TO THE REGULATIONS SUPPLEMENTAL TO THE FRUIT AND VEGETABLE QUARANTINE NO. 56 (T. D. 49247), REVISED (T. D. 51833).

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., January 29, 1948.

To The Collector of Customs and Others Concerned:

The appended copy of B. E. P. Q. 464, as revised effective December 31, 1947, amending the in-transit sterilization requirements of administrative instructions (7 CFR 319.56–2e) issued pursuant to the regulations supplemental to the Fruit and Vegetable Quarantine No. 56 (T. D. 49247), is published for the information and guidance of customs officers and others concerned.

The number of this Treasury decision shall be inserted as a marginal reference opposite section 12,10, Customs Regulations of 1943.

FRANK DOW,
Acting Commissioner of Customs.

(Then follows the text of the order.)

ANNOUNCEMENTS RELATING TO NURSERY STOCK, PLANT AND SEED QUARANTINE (NO. 37)

HEARING SET FOR NOVEMBER 18 TO CONSIDER LIMITING ENTRY OF IMPORTED NURSERY STOCK

(Press notice)

OCTOBER 22, 1947.

A public hearing to consider what regulatory action is warranted under authority granted in an amendment to the Plant Quarantine Act, approved July 31, 1947, and how such action may best be effected will be held in Washington, November 18, the United States Department of Agriculture announced today. The hearing will open in the Jefferson Auditorium of the South Building, Fourteenth and Independence Avenue NW, at 10 a. m.

This amendment authorizes the Secretary of Agriculture "to limit entry of nursery stock from foreign countries under such rules and regulations as he may deem necessary."

If determined as necessary, it may be required that nursery stock "be grown under post-entry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock may be infested or infected with plant pests not discernible by port-of-entry inspection."

Also contained in the amendment is a provision that if imported nursery stock is found to be infested or infected with plant pests the Secretary of Agriculture is authorized to prescribe remedial measures as he may deem necessary to prevent the spread of the pests.

At the hearing it is intended that the recent amendment be discussed in its relation to the other sections of the Plant Quarantine Act, particularly as to how any limitations that may be found necessary should be accomplished.

Applicability of the restrictive procedures provided for in section 5 of the Plant Quarantine Act in setting up limitations on the entry of plant propagating material, including bulbs, will be discussed.

Matters to which particular attention is directed include:

Growing imported nursery stock, plants, and bulbs, in whole or in part, under post-entry quarantine by the permittee or his agent under the supervision of the United States Department of Agriculture;

Requiring further limitations as to size and age of such imports, including the desirability of limiting the entry of certain species or classes of woody plants to seeds only, where seeds will serve the purpose of providing the plants desired;

Establishing numerical limitations on such imports; and

Determining the dates on which any resultant action should be made effective.

There will also be explored the possibility that under certain conditions the measures to be taken may best be effected through prohibitions on the entry of hosts of foreign plant pests not known to occur in this country.

In the notice of public hearing there are listed some 35 injurious insects and plant diseases that may warrant the placing of limitations, restrictions, or prohibitions on the entry of known host plants from affected countries.

As part of the hearing, consideration will also be given to a revision of the Nursery Stock, Plant, and Seed Quarantine No. 37 and supplemental regulations. Any limitations, restrictions, or prohibitions that might be set up would logically come within the scope of this quarantine.

Among other matters to be discussed in connection with a revision of Quarantine No. 37 is the desirability of treatments to be applied to imported nursery stock, plants, and bulbs to destroy possible vectors of virus diseases and certain other insects as well as fungus and bacterial diseases and nematodes; and the advisability of requiring that all such imported propagating material be entered at designated inspection stations.

Persons interested in discussing any of these matters at the hearing are invited to be present or to be represented by attorney. Communications on the subject may also be addressed to the Chief of the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington 25, D. C., prior to the date of the hearing.

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN QUARANTINE NOTICES

NOTICE OF PUBLIC HEARING AND NOTICE OF PROPOSED RULE MAKING TO CONSIDER THE ADVISABILITY OF PROHIBITING OR OF FURTHER RESTRICTING UNDER QUARANTINE NO. 37, THE ENTRY OF FOREIGN NURSERY STOCK, OTHER PLANTS, AND BULBS PURSUANT TO PUBLIC LAW 290, AND FOR OTHER PURPOSES

OCTOBER 17, 1947.

Public Law 290, Eightieth Congress, approved July 31, 1947, amends section 1 of the Plant Quarantine Act (37 Stat. 315, 7 U. S. C. 1940 ed. 154) by adding a new proviso as follows:

"*And provided further*, That the Secretary of Agriculture is authorized to limit entry of nursery stock from foreign countries under such rules and regulations as he may deem necessary, including the requirement, if necessary, that such nursery stock be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock may be infested or infected with plant pests not discernible by port-of-entry inspection and provided that if imported nursery stock is found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof."

In order to determine the advisability of invoking the restrictive procedures provided for in section 5 of the Plant Quarantine Act (37 Stat. 316, 7 U. S. C. 1940 ed. 159) for the purpose of prescribing limitations, as authorized by Public Law 290, supra, on the entry of both nursery stock as defined in section 6 of the Plant Quarantine Act (37 Stat. 317, 7 U. S. C. 1940 ed. 152) and the plant

propagating material, including bulbs, not so defined as nursery stock, it is necessary that consideration be given to the necessity for and methods of accomplishing such limitations. This may raise questions which will involve a consideration of the desirability of revising Nursery Stock, Plant, and Seed Quarantine No. 37 and the placing of prohibitions on the entry in certain cases of foreign nursery stock, other plants, bulbs, and seeds.

Without limiting the scope of the practices and procedures requiring consideration, particular attention should be directed to the following matters:

1. Growing, and applying remedial measures if necessary to imported nursery stock, plants, and bulbs, in whole or in part, under postentry quarantine by the permittee or his agent under the supervision of the United States Department of Agriculture.

2. Further limitations as to size and age of such imports, including the desirability of limiting the entry of certain species or classes of woody plants to seeds only, where seeds will serve the purpose of providing the plants desired.

3. Numerical limitations on such imports.

4. Revision of the Nursery Stock, Plant, and Seed Quarantine and supplementary regulations (Notice of Quarantine No. 37, 7 CFR §§ 319.37–319.37–15, inclusive), such consideration, among other matters, to include the desirability of treatment of all or certain classes of imported nursery stock, plants, and bulbs to destroy possible vectors of virus diseases and such other injurious insects as may be found.

5. Also, in conjunction with the above-mentioned revision, the advisability of requiring that all such imported plant propagating material be entered through and be inspected at designated Federal inspection stations.

6. Prohibitions, in conformity with section 7 of the Plant Quarantine Act (37 Stat. 317, 7 U. S. C. 1940 ed. 160), on the entry of known hosts of plant pests, new to or not heretofore widely prevalent or distributed within and throughout the United States, now known to exist in foreign countries.

7. Date or dates when the limitations, restrictions, or prohibitions under consideration should become effective.

Examples of plant pests that might warrant such measures as limitations, restrictions, or prohibitions are—

Fungus diseases: Physalospora piricola, causing a leaf, branch and fruit disease of apple and pear in Korea; *Zopfia rhizophila*, causing a root rot of asparagus in Europe; *Polyporus litschaueri*, causing a heart rot of oak, elm, maple, and poplar in Austria, Russia, and the Russian Far East; *Stereum hiugense*, causing a white rot of oak in Japan; *Pestalotia disseminata*, a destructive leaf parasite of eucalyptus in Portugal and Uruguay; *Stegophora aemula*, a destructive leaf parasite of *Ulmus davidiana* in China; *Exosporium deflectens*, causing needle fall of *Juniperus communis* in Finland and Rumania; *Verticillium cinerescens*, causing a wilt of carnations in England; rusts of *Gladiolus* spp. in Africa, including a newly described rust *Puccinia Mccleanii* on *G. ludwigii; Uromycladium tepperianum*, a rust on acacia in Australia; *Vialina radicicola*, causing a root-rot and wilt of pyrethrum in Italy; *Mycosphaerella aleuritidis*, causing a leaf spot of tung trees in China and Brazil; *Hypoxylon sertatum*, causing a disease of cork oak and eucalyptus in Morocco and of oak and walnut in Algeria; *Chrysomyxa abietis*, a rust on fir trees in Europe, causing a serious needle disease, and also 50 to 60 other rusts throughout the world attacking the same host genus; *Fusarium fuliginosporum*, causing a seedling disease of *Cedrus deodara* in Italy; *Chrysomyxa rhododendri*, a rust causing a needle cast of spruce in Europe; *Phomopsis* sp., causing a canker of Monterey pine in New Zealand; *Cronartium flaccidum*, a rust on pines and several alternate hosts in Europe; *Monilia fructigena* forms, causing rots of both stone and pome fruits in Europe, Japan, Manchuria, and South Africa; *M. laxa*, f. *mali*, causing a rot of apple in Europe and Japan; *Taphrina armeniaca*, causing a witches broom disease of apricots in Rumania; and an undescribed gall-forming rust of pine and its alternate host, oak, in Japan.

Bacterial diseases: Pseudomonas fraxini, causing a bacterial canker and dwarfing of ash trees in Europe; *Bacterium salicis*, causing the destructive watermark disease of willows in England; *Pseudomonas acernea*, causing a leaf disease of *Acer trifidum* and other maples in Japan; *Agrobacterium savastanoi* var. *fraxini*, causing a canker and dwarfing disease of Fraxinus in Europe; and *Pseudomonas rimaefaciens*, causing a canker of *Populus* spp. in the Netherlands, Belgium and France.

Nematodes: Aphelenchoides ribes, the black currant eelworm, which attacks black currants in England and New Zealand.

Virus diseases: Leaf chlorosis of eucalyptus in Argentina: and rose wilt virus (*Marmor flaccumfaciens*) in Australia, New Zealand, and probably Italy.

Injurious insects: Psylla mali, the apple sucker, reported as occurring in Japan, Australia, Canada, and most European countries, where it attacks such hosts as apple, mountain ash, pear, and quince; *Argyresthia ephippella*, the cherry blossom moth, occurring in central and northern Europe, including the British Isles, where it is reported to attack 17 species of Prunus; *Porthesia similis*, the swan or goldtail moth, occurring in Holland and France where it infests maple, azalea, Laburnum, rose, lilac, apple, plum, pear, and cherry; *Dichocrocis punctiferalis*, the yellow peach moth, recorded as infesting apple, orange, loquat, guava, cassia, custard apple, and dahlia in Australia, China, and Japan; and *Orgyia anartoides*, the painted apple moth, which attacks acacia, greenhouse plants, fruit trees, cauliflower, and cabbage in Australia.

Notice is therefore hereby given that, in accordance with the aforesaid sections 1, 5, and 7 of the Plant Quarantine Act, a public hearing will be held before the Bureau of Entomology and Plant Quarantine at Washington, D. C., in the Auditorium, South Building, United States Department of Agriculture, commencing at 10 a. m. on November 18, 1947, and continuing on November 19 if necessary, in order that any person interested in consideration of any of the matters outlined above may appear and be heard either in person or by attorney. Any interested person who desires to do so may submit his views on these subjects or written data or arguments thereon, and may file such views, data, or arguments with the Chief of the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington 25, D. C., on or before November 17, 1947.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

[Copies of the above order were sent to all American diplomatic and consular officers through the Department of State.]

[Filed with the Division of the Federal Register, October 22, 1947, 8:46 a. m.; 12 F. R. 6912.]

ANNOUNCEMENTS RELATING TO REGULATIONS GOVERNING THE IMPORTATION OF ADULT HONEYBEES

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

REGULATION 4, JOINT REGULATIONS OF THE SECRETARY OF THE TREASURY AND THE SECRETARY OF AGRICULTURE, GOVERNING THE IMPORTATION OF ADULT HONEYBEES, REVOKED. T. D. 44908 AMENDED (T. D. 51789)

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., November 13, 1947.

To Collectors of Customs and Others Concerned:

Under the authority contained in section 1 of the act of August 21, 1922 (42 Stat. 833; 7 U. S. C. 381), regulating the importation of adult honeybees into the United States, the Acting Secretary of Agriculture, effective August 27, 1947 (12 F. R. 5748), revoked Regulation 4 (7 CFR 322.4) of the Joint Regulations of the Secretary of the Treasury and the Secretary of Agriculture issued pursuant to that act and published in T. D. 44908, dated May 23, 1931, and redesignated Regulation 5 (7 CFR 322.5) and Regulation 6 (7 CFR 322.6) to read, respectively, section 322.4 and section 322.5.

This Department concurs in the action taken by the Secretary of Agriculture and, accordingly, Regulation 4 contained in T. D. 44908 is hereby deleted and Regulation 5 and Regulation 6 are hereby, for the purposes of this Department, redesignated to read, respectively, "Regulation 4" and "Regulation 5."

The number of this Treasury decision shall be placed opposite section 12.22, Customs Regulations of 1943, as a marginal citation.

FRANK DOW,
Acting Commissioner of Customs.

817011—49——2

MISCELLANEOUS ITEMS

B. E. P. Q. 437, Supplement No. 1

NOVEMBER 25, 1947.

PLANT QUARANTINE IMPORT RESTRICTIONS, KINGDOM OF BELGIUM

(Decree of June 11, 1947)

SAN JOSE SCALE REGULATIONS

ARTICLE 1. The importation into Belgium of fresh fruits and living woody plants or parts thereof is authorized only if the shipments are accompanied by a certificate issued by the phyto-pathological service of the country of origin, attesting that the San Jose scale (*Aspidiotus perniciosus* Comst.) does not exist in the country or that the shipments have been examined by said service and found to be free from this insect.

The regulation does not apply to seeds nor to underground parts of vegetables.

ART. 2. Provides for inspection of any shipment on arrival, when deemed advisable, by the Belgian phyto-pathological service.

ART. 3. Importation of fresh fruits and living plants to be made through designated customs offices.

ART. 4. Shipments arriving without certification to be held in customs for inspection by the phyto-pathological service made at the expense of the importer. Shipments will be turned back unless free from San Jose scale.

ARTS. 5–9. Domestic regulations.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 411, Supplement No. 5

NOVEMBER 25, 1947.

PLANT QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF MEXICO

RESTRICTIONS ON ACCOUNT OF THE WESTERN GRAPE SKELETONIZER

(Harrisina brillians B. & McD.)

Partial Exterior Quarantine No. 13 signed by the Secretary of Agriculture and Development September 28, 1946 requires fumigation with methyl bromide for grapevines, and parts thereof, including grapes, from San Diego County, Calif. Pertinent articles follow.

ARTICLE 1. A partial quarantine is ordered against plants of the grape, parts thereof, and the natural products, originating in San Diego County, Calif., United States of America, as well as those from other foreign localities where the insect *Harrisina brillians* B. & McD., western grape skeletonizer, may appear.

ART. 2. In order to import plants, cuttings, rooted vines, fresh and dried fruit coming from the locality mentioned in the preceding article, a special permit is required issued by the Direccion General de Agricultura or designated personnel.

ART. 3. Permits will be issued when the grape plants, parts thereof or the products, have been fumigated with methyl bromide at atmospheric pressure with the following dosage and time of exposure:

For fresh fruit: 24 grams per cubic meter with an exposure of 2 hours at a temperature of not less than 21° C. (Approximately 1½ pounds per 1,000 cubic feet.)

For cuttings, rooted vines, etc.: 40 grams per cubic meter with an exposure of 2 hours at a temperature of not less than 26° C. (Approximately 2½ pounds per 1,000 cubic feet.)

ART. 4. Shipments must be accompanied by certificates issued by the Federal Bureau of Entomology and Plant Quarantine showing that they have been subjected to the required treatments.

ART. 5. Shipments from other localities require only a certificate of origin visaed by a Mexican consul.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

PENALTIES IMPOSED FOR VIOLATIONS OF THE PLANT QUARANTINE ACT

According to reports received by the Bureau during the period October 1 to December 31, 1947, penalties have recently been imposed by the proper authorities for violations of the Plant Quarantine Act as follows:

QUARANTINES AFFECTING MEXICAN PRODUCTS

In the case of the United States versus the persons listed below, for attempting to smuggle in contraband material, the penalties indicated were imposed by the United States customs officials at the following ports:

Name	Port	Contraband	Penalty
Carmen Nevarez de Barrera	Nogales, Ariz	11 sweet limes	$1.00
John Perez	do	5 pomegranates	1.00
Ramon Reina	do	25 cactus plants	2.50
Maria Rivas	do	10 lily bulbs	1.00
Antonio Gonzalez	Brownsville, Tex	1 orange	1.00
Leonardo Yanyes	do	1 apple	1.00
Manuel Olvera Muniz	do	1 orange	1.00
Demetrio Castillo	do	2 oranges	1.00
Antonio Vargas	do	3 pomegranates	1.00
Mrs. H. B. Houghton	do	2 guavas	1.00
William F. Kiensle	do	1 grapefruit and 24 apples	1.00
Guadalupe Mindieta	do	2 aguacate seeds	1.00
Alfredo Nunez	do	1 orange	1.00
Mrs. W. Wegter	do	2 avocados	1.00
Maria E. Reyes	Del Rio, Tex	3 oranges	1.00
Mrs. Eloisa M. de Juvo	Eagle Pass, Tex	14 apples	1.00
Mrs. Valdez de Gonzales	do	7 pomegranates and 3 avocados	1.00
Mrs. Dolores Alcade de Gallardo	do	5 oranges	1.00
Juana de Hoyas de Herrera	do	2 avocados and 1 avocado seed	1.00
Mrs. Enriqueta M. Ramos	do	3 plants	1.00
Miss Jovita Felan Gomez	do	9 plants	1.00
Mrs. Eduvina Rodriguez vda. Ibarra.	do	2 guavas and 28 haws	1.00
Miss Antonia Garcia	do	2 guavas	1.00
Jose de la Santos	do	16 nodes sugarcane	1.00
Manuel Gaitan	do	3 red haws and 4 oranges	1.00
Daniel Balderar	do	1 apple and 5 oranges	1.00
Mrs. Maria Inez Delgado de Tobar	do	2 oranges	1.00
Carmen Lopez	El Paso, Tex	2 guavas	1.00
Elena Ochoa Rivas	do	1 apple and 1 pear	1.00
Maria Maldonado	do	4 quince	1.00
Lucio Cordova de Perez	do	5 sweet limes	1.00
Francisca Courtney	do	1 quince	1.00
Carmen Frillo de Marquez	do	2 quince	1.00
Natalia Ortega	do	11 sweet potatoes	1.00
Petra Madrid	do	2 avocados	1.00
Trinidad Unsueta	do	1 plant	1.00
Petra Legaspi	do	3 guavas	1.00
Natividad Perez	do	1 plant	1.00
Victoria Franco	Hidalgo, Tex	1 orange	1.00
Jesus Guerra	do	do	1.00
Fidel G. Robles	do	2 apples	1.00
Alfedo Valdez de Leon	do	do	1.00
Jose M. Meddelin	do	3 plants and ¼pound tree seed	1.00
Amanda Gonzalez	do	13 plants	1.00
Maria Lerma	do	8 plants	1.00
Gilberto Gonzales	do	2 pears	1.00
J. T. Guzman	do	1 orange and ¼ pound tree seed	1.00
Raymond Klick	do	3 oranges	1.00
Alejandro Davilla	do	2 avocados	1.00
Antonio Rios	do	8 avocados	1.00
Jose Rivera	do	3 pears	1.00
Nacarea Vasquez	do	3 guavas	1.00
Luz Rios	do	40 haws, 3 plants, and 1 sweet lime	3.00
Frank Salazar	do	4 avcoados	1.00
Maria Almazan	do	2 avocados	1.00
Marcelina Hernandez	do	3 avocados	1.00
J. H. Mullins	do	1 apple	1.00
Martin Ramirez Martinez	do	6 guaves and 200 haws	1.00
Marcellino Avila	do	5 oranges	1.00
Francisco Moreno	do	6 plants	1.00
Nicolaso Rios	do	13 plants	1.00
David Bushwalter	do	8 plants	1.00
Ramiro Guajardo	do	6 oranges	1.00
Felicitos Galavis	do	1 quince	1.00
Joe Henry	do	3 apples	1.00
Mrs. G. S. Boys	do	3 avocados	1.00

Name	Port	Contraband	Penalty
C. M. Garza	Hidalgo, Tex	4 plants	1.00
Ibanez Donacia	do	1 apple	1.00
Juan C. Rodriguez	do	21 nodes sugarcane	1.00
Amelia Beltran	do	1 guava	1.00
Lupe Longoria	do	10 oranges	1.00
Carolina Gutierrez	do	2 apples	1.00
Antonio Silva	do	5 plants	1.00
Katie Rider	do	1 orange	1.00
Dolores Salinas	do	do	1.00
Juan Cortez	do	do	1.00
Rafalo Gonzalez Ortiz	do	4 guavas	1.00
Howard Shawe	do	52 apples	1.00
Francisco H. Gomez	do	3 plants, 4 nodes sugarcane, and 14 tangerines.	1.50
Dionisio Cerda	do	1 plant	1.00
Paul S. Von Tobel	do	do	1.00
Amelia Fernandez	do	2 guavas	1.00
Guadelupe Tones	do	do	1.00
Jeremias Espinosa	do	do	1.00
Virginia M. Ramirez	do	do	1.00
Raquel Guerra	do	2 oranges	1.00
Marcelino Martinez	do	3 oranges	1.00
Charles Thrushman	do	9 grapefruit	1.00
Micaela Castillo	do	2 plants	1.00
Jacob Flores	do	5 plants	1.00
Jesse Ybarbo	do	30 nodes sugarcane	1.00
Nicolasa G. Cano	do	3 nodes sugarcane	1.00
Antonio Guerra	do	2 oranges	1.00
Francisca A. de Flores	Laredo, Tex	2 quinces and 3 peaches	1.00
Victoria Ramirez	do	8 guavas	1.00
Maria Flores	do	5 peaches	1.00
Francisco Franco	do	3 avocados with seed	1.00
Aurelio Fernandez	do	5 plants	1.00
Elpidio Garcia	do	do	1.00
Ramon Gonzalez	do	6 plants and 2 figs	1.00
Julio Rodriguez	do	3 sugarcane nodes, 2 oranges, 1 avocado, 6 pears, 4 maypops, and 9 apples.	1.00
Felipe A. Salazar	do	2 plants	1.00
Silvesto Garcia	do	13 sugarcane nodes	1.00
Maria de la Luy Anaya	do	4 pomegranates and 2 guavas	1.00
Jennie Loera	do	7 cherimoyas	1.00
Julia Gutierrez	do	5 avocados	1.00
Julio Gutierrez	do	7 plants	1.00
Saul S. Gumaer	do	6 guavas	1.00
W. F. Parchman	do	5 plants	2.00
Procopio Fonseda	do	10 plants	1.00
Amelia Medina	do	11 avocados	1.76
Santiago Romero	do	10 plants	1.00
Hilario Gonzalez	do	3 guavas	1.00
Luigi Zacchino	do	15 oranges, 11 grapefruit, and 13 cotton bolls.	5.00
Francisco Laera	do	6 guavas	1.00
Lily Gonzalez	do	2 oranges	1.00
Benigno Martinez	do	2 Cycad palms	2.00
Leonobio Solis	do	4 gladiolus bulbs, 17 dahlia tubers, and 30 sugarcane nodes.	6.00
Canderaria Barrera	do	1 plant	1.00
Dionisia Garcia Arevalo	do	do	1.00
Josefia Garcia	do	4 fig cuttings and 9 plants	1.00
Atilano Rodriguez	do	15 orchids	3.75
Aurora F. Galvan	do	1 cherimoya	1.00
Ines Velasquez de Garza	do	1 guava	1.00
Jose Lara	do	8 bulbs	1.00
Francisco F. Guerrero	do	7 oranges	1.00
John Villafan	do	5 oranges	1.00
Rosa Martinez	do	2 apples	1.00
Jose E. Ramirez	do	12 tangerines	1.00
Joe E. Ramirez	do	do	1.00
Benito A. Lozano	do	19 guavas	1.00

LIST OF CURRENT QUARANTINE AND OTHER RESTRICTIVE ORDERS AND MISCELLANEOUS REGULATIONS

[The domestic and foreign quarantine and other restrictive orders summarized herein are issued under the authority of the Plant Quarantine Act of Aug. 20, 1912, as amended. The Mexican border regulations and the export-certification regulations are issued under specific acts of Congress.]

QUARANTINE ORDERS

The numbers assigned to these quarantines indicate merely the chronological order of issuance of both domestic and foreign quarantines in one numerical series. The quarantine numbers missing in this list are quarantines which have either been superseded or revoked. For convenience of reference these quarantines are here classified as domestic and foreign, the domestic quarantines being divided into (1) those applying primarily to the continental United States, and (2) those applying primarily to shipments from and to the Territories of Hawaii and Puerto Rico.

Domestic Plant Quarantines

QUARANTINES APPLYING TO THE CONTINENTAL UNITED STATES

Black stem rust.—Quarantine No. 38, revised, effective December 26, 1944, as amended effective February 1, 1946: Prohibits, except as provided in the rules and regulations supplemental therto, revised, effective December 26, 1944, as amended effective February 1, 1946, the movement into any of the protected States—namely, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, as well as the movement from any one of said protected States into any other protected State—of the common barberry (*Berberis vulgaris*), or any of its horticultural varieties, or any other species, varieties, or hybrids of *Berberis* or *Mahonia*, known to be sufficiently susceptible to infection by the black stem rust to involve danger of spread of the disease. The regulations place no restrictions on the interstate movement of Japanese barberry (*B. thunbergi*) or any of its rust-resistant varieties, or of cuttings (without roots) of *Mahonia* when shipped for decorative purposes and not for propagation.

Gypsy moth and brown-tail moth.—Quarantine No. 45, revised, effective October 10, 1945: Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated area to or through any point outside thereof of (1) live gypsy moths or brown-tail moths in any stage of development; (2) trees, shrubs, plants, and vines, both deciduous and evergreen, having persistent woody stems, and parts thereof, including Christmas trees; (3) timber products; (4) stone and quarry products; and (5) any other commodities or articles when found on inspection to be infested with the aforesaid insects in any of their stages. The regulated area covers Massachusetts, Rhode Island, and parts of the States of Connecticut, Maine, New Hampshire, New York, and Vermont.

Japanese beetle.—Quarantine No. 48, revised, effective May 17, 1947: Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement of (1) soil, compost, and decomposed manure; (2) forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes; (3) cut flowers; and (4) fresh fruits and vegetables from the regulated area to or through any point outside thereof. The regulated area includes the entire States of Massachusetts, Rhode Island, Connecticut, New Jersey, and Delaware, and the District of Columbia, and portions of the States of Maine, New Hampshire, Vermont, New York, Pennsylvania, Maryland, Virginia, West Virginia, and Ohio.

Pink bollworm.—Quarantine No. 52, revised, effective August 22, 1947: Prohibits, except as provided in the rules and regulations supplemental thereto, effective August 22, 1947, the interstate movement from the regulated areas of Arizona, New Mexico, and Texas, of (1) okra, including all parts of the plant; (2) cotton, wild cotton, including all parts of either cotton or wild-cotton plants, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton fiber, gin waste, cottonseed, cottonseed hulls, cottonseed cake, and meal; (3) bagging and other containers and wrappers of cotton and cotton products; (4) railway cars, boats, and other vehicles which have been used in conveying regulated cotton products or which are fouled with such products; (5) when contaminated with regulated cotton products, any other commodities, including farm products, farm household goods, and farm equipment.

Thurberia weevil.—Quarantine No. 61, revised, effective August 1, 1927: Prohibits the interstate movement of *Thurberia*, including all parts of the plant, from any point in Arizona and prohibits, except as provided in the rules and regulations supplemental thereto, revised, effective October 2, 1933, as amended

effective October 22, 1936, the interstate movement from the regulated area of Arizona of (1) cotton, including all parts of the plant, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton lint, gin waste, cottonseed, cottonseed hulls, and cottonseed cake and meal; (2) bagging and other containers and wrappers of cotton and cotton products; (3) railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products, or which are fouled with such products; (4) hay and other farm products; and (5) farm household goods, farm equipment, and, if contaminated with cotton, any other articles.

White pine blister rust.—Quarantine No. 63, effective July 1, 1946: Except as provided in the rules and regulations supplemental thereto, effective July 1, 1946, (1) prohibits the movement of five-leaved pines into the noninfected States of Arizona, Colorado, Georgia, Kentucky, Nevada, New Mexico, South Carolina, Tennessee, Utah, and the noninfected part of California, from any other State, although (a) five-leaved pines may be moved without restriction between these noninfected States and portions thereof, and (b) there are no restrictions on the movement of five-leaved pines and parts thereof when not visibly infected with blister rust into or within that part of the continental United States outside the above-described noninfected area; (2) prohibits the movement of European black currants, except into and between the States of Alabama, Arkansas, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas; (3) prohibits the movement of gooseberry and currant plants (other than European black currants) into parts of California, Georgia, Idaho, Maine, Montana, New Hampshire, New Jersey, New York, Tennessee, and West Virginia; and (4) restricts the movement of gooseberry and currant plants (other than European black currants) into control-areas comprising Connecticut, Delaware, Massachusetts, Rhode Island, and Vermont, and parts of Maryland, Michigan, Minnesota, North Carolina, Ohio, Oregon, Pennsylvania, Virginia, Washington, and Wisconsin.

Mexican fruitfly.—Quarantine No. 64, revised, effective November 26, 1945: Prohibits, except as provided in the rules and regulations supplemental thereto, revised, effective November 26, 1945, the interstate movement from the regulated area of Texas of fruits of all varieties.

White-fringed beetle.—Quarantine No. 72, revised, effective March 15, 1947: Prohibits, except as provided in the regulations supplemental thereto, effective March 15, 1947, the interstate movement from the regulated areas in the States of Alabama, Florida, Georgia, Louisiana, Mississippi, and North Carolina, to or through any point outside thereof, of (1) live white-fringed beetles in any stage of development; (2) soil independently or in connection with nursery stock, plants, or other things; (3) nursery stock and other stipulated plants or plant products; and (4) other articles as stipulated in § 301.72-3.

QUARANTINES APPLYING TO THE TERRITORIES OF HAWAII AND PUERTO RICO

Hawaiian fruits and vegetables.—Quarantine No. 13, revised, effective June 1, 1917: Prohibits, except as provided in the rules and regulations supplemental thereto, revised, effective June 1, 1930, as amended effective May 12, 1941, the movement from the Territory of Hawaii into or through any other Territory, State, or District of the United States, of all fruits and vegetables in the natural or raw state, on account of the Mediterranean fruitfly (*Ceratitis capitata*) and the melonfly (*Dacus cucurbitae*).

Sugarcane.—Quarantine No. 16, revised, effective January 1, 1935: Prohibits the movement from the Territories of Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States of canes of sugarcane, or cuttings or parts thereof, sugarcane leaves, and bagasse, on account of certain injurious insects and diseases of sugarcane, except that movement will be allowed under permit of specific materials on condition that they have been or are to be so treated, processed, or manufactured that, in the judgment of the Department, their movement will involve no pest risk.

Sweetpotato.—Quarantine No. 30, revised, effective October 10, 1934: Prohibits the movement from the Territories of Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States of any variety of sweetpotato (*Ipomoea batatas* Poir.), regardless of the use for which the same is intended, on account of the sweetpotato stem borer (*Omphisa anastomosalis* Guen.) and the sweetpotato scarabee (*Euscepes batatae* Waterh.).

Banana plants.—Quarantine No. 32, effective April 1, 1918: Prohibits the movement from the Territories of Hawaii and Puerto Rico into or through any

other Territory, State, or District of the United States of any species or variety of banana plants (*Musa* spp.), regardless of the use for which the same is intended, on account of two injurious weevils (*Rhabdocnemis obscurus* Boisd. and *Metamasius hemipterus* Linn.).

Hawaiian and Puerto Rican cotton, cottonseed, and cottonseed products.—Quarantine No. 47, effective August 15, 1920: Prohibits, except as provided in the rules and regulations supplemental thereto, effective August 15, 1920, the movement of cotton, seed or unginned cotton, cottonseed, and cottonseed products, except oil, from the Territories of Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States on account of the pink bollworm (*Pectinophora gossypiella* Saund.) and the cotton-blister mite (*Eriophyes gossypii* Banks).

United States quarantined to protect Hawaii.—Quarantine No. 51, effective October 1, 1921: Prohibits, except as provided in the rules and regulations supplemental thereto, effective October 1, 1921, the movement from the United States to the Territory of Hawaii, as ships' stores or as baggage or effects of passengers or crews, of sugarcane, corn (other than shelled corn), cotton, alfalfa, and the fruits of the avocado and papaya in the natural or raw state, on account of injurious insects, especially the sugarcane borer (*Diatraea saccharalis* Fab.), the alfalfa weevil (*Hypera postica* Gyll.), the cotton boll weevil (*Anthonomus grandis* Boh.), the papaya fruitfly (*Toxotrypana curricauda* Gerst.), and certain insect enemies of the fruit of the avocado.

Puerto Rican fruits and vegetables.—Quarantine No. 58, revised, effective January 22, 1941: Prohibits, except as provided in the rules and regulations supplemental thereto, effective January 22, 1941, the movement from the Territory of Puerto Rico into or through any other Territory, State, or District of the United States of all fruits and vegetables in the raw or unprocessed state, on account of certain injurious insects, including the fruitflies *Anastrepha suspensa* (Loew) and *A. mombinpraeoptans* Sein, and the bean-pod borer *Maruca testulalis* (Geyer).

Sand, soil, or earth, with plants from Hawaii and Puerto Rico.—Quarantine No. 60, revised, effective September 1, 1938: Prohibits the movement from the Territories of Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States of sand (other than clean ocean sand), soil, or earth around the roots of plants to prevent the spread of certain injurious insects, including *Phyllophaga* spp. (white grubs), *Phytalus* sp., *Adoretus* sp., and of several species of termites or white ants. Provision is made for the retention of potted plants on board vessels from Hawaii and Puerto Rico when evidence is presented satisfactory to the plant quarantine inspector that the soil has been so treated or is so safeguarded as to eliminate pest risk.

Hawaiian citrus nursery stock.—Quarantine No. 75, effective September 15, 1947: Prohibits the movement from the Territory of Hawaii into or through any other Territory, State, or District of the United States of plants or any plant part, except fruits and seeds, of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddalioideae of the botanical family Rutaceae, on account of the citrus canker disease and other citrus diseases.

Foreign Plant Quarantines

Pink bollworm.—Quarantine No. 8, revised, effective November 11, 1944: Forbids the importation from any foreign locality and country, excepting only the locality of the Imperial Valley in the State of Baja California, Mexico, including that portion of the Valley in the State of Sonora lying between San Luis Mesa and the Colorado River, and the area in the State of Tamaulipas, Mexico, adjacent to the United States, comprising the municipios of Guerrero, Mier, Camargo, Reynosa, Matamoras, Mendez, and San Fernando, of cottonseed of all species and varieties and cottonseed hulls. Cottonseed and cottonseed hulls from the Imperial Valley and from the aforesaid area in the State of Tamaulipas, Mexico, may be entered under permit and regulation.

Seeds of avocado or alligator pear.—Quarantine No. 12, effective February 27, 1914: Forbids the importation from Mexico and the countries of Central America of the seed of the avocado or alligator pear on account of the avocado weevil (*Heilipus lauri*).

Sugarcane.—Quarantine No. 15, revised, effective October 1, 1934: Prohibits the importation from all foreign countries and localities of canes of sugarcane, or cuttings or parts thereof, sugarcane leaves, and bagasse, on account of certain injurious insects and diseases of sugarcane, except that importation will be

allowed under permit of specific materials on condition that they have been or are to be so treated, processed, or manufactured that, in the judgment of the Department, their entry will involve no pest risk.

Citrus nursery stock.—Quarantine No. 19, revised, effective September 15, 1947: Forbids the importation from all foreign localities and countries of plants or any plant part, except fruit and seeds, of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae and Toddalioideae, of the botanical family Rutaceae, from Europe, Asia, Africa, South America, Central America, North America outside of the United States, Australia, and foreign oceanic countries and islands.

Indian corn or maize and related plants.—Quarantine No. 24, effective July 1, 1916, as amended, effective April 1, 1917, and April 23, 1917: Forbids the importation from southeastern Asia (including India, Siam, Indochina, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Taiwan (Formosa), Japan, and adjacent islands, in the raw or unmanufactured state, of seed and all other portions of Indian corn or maize (*Zea mays* L.) and the closely related plants, including all species of Teosinte (Euchlaena), Jobs-tears (Coix), Polytoca, Chionachne, and Sclerachne, on account of the downy mildews and Physoderma diseases of Indian corn, except that Indian corn or maize may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture.

Citrus fruits.—Quarantine No. 28, effective October 25, 1947: Forbids the importation into the continental United States, Puerto Rico, and Hawaii of all fruits and peel of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddalioideae of the botanical family Ruteceae from eastern and southeastern Asia (including India, Burma, Ceylon, Siam, Indochina, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia and Tasmania), Japan (including Formosa and other islands adjacent to Japan), Mauritius, Mozambique, and Seychelles, on account of the citrus canker disease; forbids the importation into the continental United States, Puerto Rico and Hawaii of fruits and peel of all genera, species, and varieties of *Citrus aurantifolia* (Christm.) Swingle, *C. aurantium* L., *C. hystrix* DC., *C. limon* (L.) Burm. f., *C. paradisi* Macf., *C. reticulata* Blanco, *C. sinensis* (L.) Osbeck and *Fortunella margarita* (Lour.) Swingle, from Argentina, Brazil, Paraguay, and Uruguay, on account of sweet orange scab; and forbids the importation into the continental United States, Puerto Rico and Hawaii of fruits and peel of all genera, species, and varieties of *Citrus aurantifolia* (Christm.) Swingle, *C. aurantium* L., *C. limon* (L.) Burm. f., *C. medica* L., and *C. sinensis* (L.) Osbeck, from Argentina, Paraguay, and Uruguay, on account of the bacterial disease known as "Cancrosis B": *Provided*, that seeds and processed peel of fruits designated herein are excluded from the provisions of this quarantine. Such seeds, however, are subject to the requirements of Nursery Stock, Plant, and Seed Quarantine No. 37.

Sweetpotato and yam.—Quarantine No. 29, effective January 1, 1918: Forbids the importation for any purpose of any variety of sweetpotatoes and yams (*Ipomoea batatas* and *Dioscorea* spp.), from all foreign countries and localities, on account of the sweetpotato weevils (*Cylas* spp.) and the sweetpotato scarabee (*Euscepes batatae*).

Banana plants.—Quarantine No. 31, effective April 1, 1918: Forbids the importation for any purpose of any species or variety of banana plants (*Musa* spp.), or portions thereof, from all foreign countries and localities, on account of the banana-root borer (*Cosmopolites sordidus*). This quarantine places no restrictions on the importation of the fruit of the banana. (For restrictions on the entry of the fruit of the banana see quarantine 56.)

Bamboo.—Quarantine No. 34, effective October 1, 1918: Forbids the importation for any purpose of any variety of bamboo seed, plants, or cuttings thereof capable of propagation, including all genera and species of the tribe Bambuseae, from all foreign countries and localities, on account of dangerous plant diseases, including the bamboo smut (*Ustilago shiraiana*). This quarantine order does not apply to bamboo timber, consisting of the mature dried culms or canes which are imported for fishing rods, furniture making, or other purposes, or to any kind of articles manufactured from bamboo, or to bamboo shoots cooked or otherwise preserved.

Nursery stock, plants, and seeds.—Quarantine No. 37, effective June 1, 1919: Forbids, except as provided in the rules and regulations supplemental thereto, revised, effective December 22, 1930, and amended effective December 1, 1938, the importation of seeds, nursery stock, and other plants and plant products capable of propagation from all foreign countries and localities on account of certain

injurious insects and fungous diseases. Under this quarantine the following plant products may be imported without restriction when free from sand, soil, or earth, unless covered by special quarantine or other restrictive orders: Plant products capable of propagation imported for medicinal, food, or manufacturing purposes, and field, vegetable, and flower seeds, except seeds of *Lathyrus*, *Vicia*, and *Hibiscus esculentus*. Cut flowers from the Dominion of Canada are also allowed entry without permit. The entry of the following nursery stock and other plants and seeds is permitted under permit:

Under regulation 3:

(1) Bulbs, corms, or root stocks (pips) of the following genera: *Lilium* (lily), *Convallaria* (lily-of-the-valley), *Hyacinthus* (hyacinth), *Tulipa* (tulip), *Crocus*, *Narcissus* (daffodil and jonquil), *Begonia* and *Gloxinia;* and until further notice, *Chionodoxa* (glory-of-the-snow), *Galanthus* (snowdrop), *Scilla* (squill), *Fritillaria*, *Muscari* (grape-hyacinth), *Ixia* and *Eranthis* (winter aconite).

(2) Cuttings, scions, and buds of fruits or nuts: *Provided*, That cuttings, scions, and buds of fruits or nuts may be imported from Asia, Japan, Philippine Islands, and Oceania (including Australia and New Zealand) under the provisions of regulation 14 only. (Stocks of fruits or nuts may not be imported, under permit or otherwise.)

(3) Rose stocks, including Manetti, *Rosa multiflora* (brier rose) and *R. rugosa*.

(4) Nuts, including palm seeds for growing purposes: *Provided*, That such nuts or seeds shall be free from pulp.

(5) Seeds of fruit, forest, ornamental, and shade trees, seeds of deciduous and evergreen ornamental shrubs, and seeds of hardy perennial plants: *Provided*, That such seeds shall be free from pulp: *Provided further*, That citrus seeds may be imported only through specified ports subject to disinfection as provided in regulation 9: *Provided further*, That mango seeds may not be imported under permit or otherwise, except from the countries of North America, Central America, and South America, and the West Indies.

Importations from countries not maintaining inspection of nursery stock, other plants and parts of plants, including seeds, the entry of which is permissible under this regulation, may be made under permit upon compliance with these regulations in limited quantities for public-service purposes only, but this limitation shall not apply to tree seeds.

(6) Materials permitted entry under Quarantine No. 56 for consumption purposes are authorized entry under this regulation for propagation.

Under regulation 14: Provision exists in this regulation for the entry of most kinds of plants that are not covered by other regulations of this quarantine or by other quarantines.

Under regulation 15: Provision exists for the entry in unlimited quantities of most kinds of plants which can be considered as peculiar to or standard productions of the Dominion of Canada, as opposed to stock imported into the Dominion from foreign countries and held or grown there for later sale.

European corn borer.—Quarantine No. 41, revised, effective June 1, 1926: Forbids, except as provided in the rules and regulations supplemental thereto, revised effective March 1, 1933, as amended, effective July 15, 1947, the importation from all foreign countries and localities of the stalk and all other parts, whether used for packing or other purposes, in the raw or unmanufactured state, of Indian corn or maize, broomcorn, sweet sorghums, grain sorghums, Sudan grass, Johnson grass, sugarcane, pearl millet, napier grass, teosinte, and jobs-tears, on account of the European corn borer (*Pyrausta nubilalis* Hubn.) and other dangerous insects and plant diseases.

Rice.—Quarantine No. 55, revised, effective November 23, 1933: Forbids the importation of seed or paddy rice from all foreign countries and localities except the Republic of Mexico, and forbids the importation of rice straw and rice hulls from all foreign countries and localities, and seed or paddy rice from the Republic of Mexico, except as provided in the rules and regulations supplemental thereto, effective November 23, 1933, as amended effective August 1, 1934, on account of injurious fungous diseases of rice, including downy mildew (*Sclerospora macrocarpa*), leaf smut (*Entyloma oryzae*), blight (*Oospora oryztorum*), and glume blotch (*Melanomma glumarum*), as well as dangerous insect pests.

Fruits and vegetables.—Quarantine No. 56, effective November 1, 1923: Forbids, except as provided in the rules and regulations supplemental thereto, revised, effective December 1, 1936, as amended effective February 27, 1940, and December 31, 1947, the importation of fruits and vegetables, except as restricted, as to certain countries and districts, by special quarantines and other orders, and of plants or portions of plants used as packing material in connection with

shipments of such fruits and vegetables from all foreign countries and localities other than the Dominion of Canada, on account of injurious insects, including fruitflies and melonflies (Trypetidae). Includes and supersedes Quarantine No. 49 on account of the citrus blackfly.

Flag smut.—Quarantine No. 59, effective February 1, 1926: Forbids the importation of all species and varieties of wheat (*Triticum* spp.) and wheat products, unless so milled or so processed as to have destroyed all flag-smut spores, from India, Japan, China, Australia, Union of South Africa, Italy, and Spain.

Packing materials.—Quarantine No. 69, effective July 1, 1933, as amended, effective July 1, 1933: Forbids the entry from all foreign countries and localities of the following materials when used as packing for other commodities, except in special cases where preparation, processing, or manufacture are judged by an inspector of the United States Department of Agriculture to have eliminated risk of carrying injurious insects and plant diseases: Rice straw, hulls, and chaff; cotton and cotton products; sugarcane, including bagasse; bamboo leaves and small shoots; leaves of plants; forest litter; and soil containing an appreciable admixture of vegetable matter not therein provided for by regulation. All parts of corn and allied plants are likewise prohibited except from Mexico and the countries of Central America, the West Indies, and South America. This quarantine also brings under restriction, involving inspection at will by the Department but requiring no permit or certificate, the following when used as packing: Cereal straw, chaff, and hulls (other than rice); corn and allied plants from Mexico, Central America, the West Indies, and South America; willow twigs from Europe; grasses, hay, and similar dried plant mixtures from all countries; and authorized soil-packing materials from all countries. This quarantine does not cover such widely used packing materials as excelsior, paper, sawdust, ground cork, charcoal, and various other materials which, because of their nature or process of manufacture, are unlikely to transport plant parasites.

Dutch elm disease.—Quarantine No. 70, revised, effective October 31, 1947: Forbids the importation from Europe, Canada, and other foreign areas north of the United States, on account of a disease due to the fungus *Ceratostomella ulmi*, of seeds, leaves, plants, cuttings, and scions of elm and related plants; logs of elm and related plants; lumber, timber, and veneer of such plants if bark is present on them; and crates, boxes, barrels, packing cases, and other containers, and other articles manufactured in whole or in part of the wood of elm or related plants if not free from bark.

Coffee.—Quarantine No. 73, effective April 1, 1940: Prohibits the importation into Puerto Rico from all foreign countries and localities of (1) the seed or beans of coffee which, previous to importation, have not been roasted to a degree which, in the judgment of an inspector of the Department of Agriculture, will have destroyed coffee borers in all stages, (2) coffee berries or fruits, and (3) coffee plants and leaves, on account of an injurious coffee insect known as the coffee berry borer (*Stephanoderes* [*coffeae* Hgdn.] *hampei* Ferr.) and an injurious rust disease due to the fungus *Hemileia vastatrix* B. and Br. Provision is made for importations of samples of unroasted coffee seeds or beans and for shipments of unroasted coffee seeds or beans in transit to destinations other than Puerto Rico.

Cut flowers.—Quarantine No. 74, effective August 1, 1947: Restricts the entry of cut flowers into the continental United States, Hawaii, and Puerto Rico from foreign countries, including those in Europe, Asia, Africa, Australasia, South America, Central America, North America, and other foreign countries and islands (other than cut flowers produced in the Dominion of Canada, Labrador, Newfoundland, and the United States), except as provided in the regulations supplemental thereto.

OTHER RESTRICTIVE ORDERS

The regulation of the entry of nursery stock from foreign countries into the United States was specifically provided for in the Plant Quarantine Act. The act further provides for the similar regulation of any other class of plants or plant products when the need therefor shall be determined. The entry of the plants and plant products listed below has been brought under such regulation.

Nursery stock.—The conditions governing the entry of nursery stock and other plants and seeds from all foreign countries and localities are indicated above under "Foreign plant quarantines." (See Quarantine No. 37.)

Potatoes.—The order of December 22, 1913, and the regulations issued thereunder, revised, effective March 1, 1922, and amended, effective April 15, 1944, restrict the importation of potatoes from all foreign countries and localities except

the Dominion of Canada and Bermuda, on account of injurious potato diseases and insect pests. The importation of potatoes is now authorized from Bermuda, Canada, Cuba, the Dominican Republic, Estonia, Latvia, Spain (including the Canary Islands), and the States of Chiapas, Guanajuato, Jalisco, Queretaro, San Luis Potosi, Sonora, and Tamaulipas, and the northern territory of Baja California, Mexico.

Cotton and cotton wrappings.—The order of April 27, 1915, and the rules and regulations issued thereunder, revised effective February 24, 1923, amended effective December 11, 1937, July 1, 1938, and February 2, 1945, restrict importation of cotton and cotton wrappings from all foreign countries and localities, on account of injurious insects, including the pink bollworm.

Cottonseed products.—The two orders of June 23, 1917, and the rules and regulations issued thereunder, effective July 16, 1917, amended, effective August 7, 1925, restrict the importation of cottonseed cake and meal and all other cottonseed products except oil from all foreign countries and localities, and the importation of cottonseed oil from Mexico, on account of injurious insects, including the pink bollworm: *Provided*, That these commodities which originate in and are shipped directly from the Imperial Valley, Baja California, Mexico, may enter without restriction.

Plant safeguard regulations.—These rules and regulations, revised, effective December 1, 1932, provide safeguards for the landing or unloading for transshipment and exportation and for transportation and exportation in bond of restricted or prohibited plants and plant products when it is determined that such entry can be made without involving risk to the plant cultures of the United States and also provide for the safeguarding of such plant material at a port or within the territorial limits of the United States where entry or landing is not intended or where entry has been refused.

Rules and regulations governing the movement of plants and plant products into and out of the District of Columbia.—These rules and regulations, revised effective April 30, 1938, are promulgated under the amendment to the Plant Quarantine Act of May 31, 1920. They provide for the regulation of the movement of plants and plant products, including nursery stock, from or into the District of Columbia and for the control of injurious plant diseases and insect pests within the said District.

MISCELLANEOUS REGULATIONS

Mexican border regulations.—These regulations, effective September 8, 1942, were promulgated under the act approved January 31, 1942, entitled, "To provide for regulating, inspecting, cleaning, and, when necessary, disinfecting railway cars, other vehicles, and other materials entering the United States from Mexico" (Public Law 426, 77th Cong.), and supersede the rules and regulations prohibiting the movement of cotton and cottonseed from Mexico into the United States and governing the entry into the United States of railway cars and other vehicles, freight, express, baggage, or other materials from Mexico at border points, promulgated June 23, 1917, and amended effective January 29, 1920. They are designed to prevent the entry of the pink bollworm of cotton, which is known to exist widely in Mexico. They provide for the examination of passengers' baggage, for the disinfection of railway cars and other vehicles, freight, express, and other shipments, and for the cleaning of domestic cars handling Mexican freight. All fees collected for disinfecting railway cars and other vehicles are deposited in the United States Treasury as miscellaneous receipts.

The inspectors concerned in the enforcement of these regulations at border points are charged also with enforcement of restrictions on the entry of plants and plant products under various foreign plant quarantines.

Regulations governing sanitary export certification.—These regulations, revised effective July 1, 1945, were promulgated pursuant to authority granted in the Department of Agriculture Organic Act of 1944, approved September 21, 1944 (58 Stat. 724). They provide for the inspection and certification of domestic plants and plant products intended for export to countries requiring such certification. All fees collected for this service are deposited in the United States Treasury as miscellaneous receipts.

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